United Nations A/62/134

General Assembly

Distr.: General
23 July 2007
English
Original: Arabic/English/Spanish

Sixty-second session
Item 100 (i) of the provisional agenda*
General and complete disarmament

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

Contents

		Page
I.	Introduction	2
II.	Replies received from Governments	2
	Bangladesh	2
	Chile	2
	Costa Rica	3
	Cuba	3
	Lebanon	5
	Mexico	6
	Spain	7
	Syrian Arab Republic	9
	Turkey	10

* A/62/150.

07-43556 (E) 160807 170807

I. Introduction

1. In paragraph 4 of its resolution 61/63, the General Assembly invited all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the resolution and requested the Secretary-General to submit a report containing that information to the Assembly at its sixty-second session.

2. Pursuant to that request, on 23 February 2007, a note verbale was sent to Member States inviting them to provide information on the subject. The replies received are contained in section II below. Additional replies received will be issued as addenda to the present report.

II. Replies received from Governments

Bangladesh

[Original: English]
[31 May 2007]

The Government of the People's Republic of Bangladesh fully shares the objective of the resolution 61/63 and considers it as an important resolution for maintaining international peace and security.

Chile

[Original: Spanish]
[13 June 2007]

1. Chile believes in the importance of the relevant environmental norms being observed in disarmament and arms-control negotiations.

2. In Chile, arms control is governed by Act No. 17,798, which is in the process of being amended. Our country is interested in participating in the Missile Technology Control Regime, the Wassenaar Arrangement and the Australia Group, which constitute frameworks for the control of exports relating to conventional arms and biological and chemical weapons.

3. The principal legal text in force in the area of environmental norms is Supreme Decree No. 95 of 2001, article 3 (d) of which provides that nuclear reactors and establishments and related installations shall be subject to the environmental impact evaluation system.

4. Nuclear facilities are defined as plants that use nuclear fuels and materials and plants that process nuclear materials, including irradiated nuclear fuel processing installations. Related installations are understood to mean storage deposits for nuclear or radioactive materials for nuclear reactors or facilities.

Costa Rica

[Original: Spanish]
[9 May 2007]

The Foreign Policy Directorate of the Ministry of Foreign Affairs and Worship reports the following: (1) Costa Rica is a country with no army and no nuclear weapons; (2) a total of 9,121 small arms and light weapons were destroyed from October 2001 to August 2006; (3) the said destruction was carried out with the support and technical assistance of the United Nations Development Programme, which took charge of checking that the destruction of the weapons took place under security measures that complied with the requirements of the said process and verifying that the quantity of weapons earmarked for destruction matched those actually destroyed, in addition to providing some of the instruments required for the destruction operations; (4) the resulting waste is being kept in storage, awaiting proper disposal in such a way as not to produce any type of contamination of the environment.

Cuba

[Original: Spanish]
[12 June 2007]

1. The Republic of Cuba wishes to place on record that for 12 consecutive years the United Nations General Assembly, with the support of the vast majority of Member States, has adopted a resolution on the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control, an initiative of the Non-Aligned Movement that has the definite backing of our country's Government.

2. Cuba has accumulated extensive experience in the adoption and application of laws and policies that permit the observance of environmental norms in all the processes of social life, including their implementation in the various international instruments relating to disarmament and arms control.

3. In Cuba there exists a solid legal basis for the protection of the environment. Article 27 of the Constitution of the Republic of Cuba incorporates the concept of sustainable development. Act No. 81/1997 on the environment establishes the principles of Cuban environmental policy. Among those principles one finds the following: "Environmental management is comprehensive and cross-cutting. State agencies, other entities and institutions, society and citizens in general participate in it in a coordinated manner, according to their respective areas of competence and abilities."

4. It is worth noting that Decree-Law No. 207 "on the use of nuclear energy" establishes the general precepts that govern this subject. Decree No. 208 "on the National System of Accounting for and Control of Nuclear Material" provides the norms for implementing the System in order to contribute to the efficient management of nuclear material and to detect any unauthorized use, loss or movement thereof. Domestic law on biosecurity and the application of the Biological and Toxin Weapons Convention is epitomized in Decree-Law No. 190/99 and Resolution No. 2/2004 of the Ministry of Science, Technology and

Environment. With regard to chemical weapons, Decree-Law No. 202/1999 governs the national application of the Chemical Weapons Convention; in addition, 2005 saw the adoption of decision 5517 of the Executive Committee of the Council of Ministers "on offences involving violations of the provisions of the Chemical Weapons Convention", which completes the legislative measures required for the application of the Convention.

5. In the current international context, the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control is particularly important, when one considers the unilateralism that some try to impose on international relations, where the superpower unleashes wars of aggression in various parts of the world, makes indiscriminate use of every kind of weapon and boycotts the possibility of any multilateral assumption of new commitments in that regard. At the same time, an arms race continues to be allowed to run riot in which conventional weapons undergo rapid qualitative upgrading and the enormous arsenals of weapons of mass destruction throughout the world remain untouchable.

6. The existence of ever more sophisticated weapons of mass destruction is one of the gravest threats to international peace and security as well as to the fragile environmental balance of our planet and sustainable development for all without distinction. For all these reasons Cuba once again affirms that the only truly effective solution for avoiding the effects of the use of weapons of mass destruction or accidental contamination by them continues to be their total elimination. Extremely important in this context is the universalization of all the international treaties on disarmament relating to the prohibition against weapons of mass destruction in the chemical, biological and nuclear domains.

7. Regarding the objective of nuclear disarmament, it is extremely urgent that the Conference on Disarmament initiate negotiations towards a treaty on this subject, for the purpose of eliminating weapons of this type within a specified time frame and under strict international control. An international treaty on nuclear disarmament must necessarily include measures for protection of the environment.

8. Strengthening the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction during the coming years is key to the protection of the environment and the preservation of biodiversity on our planet. The draft verification protocol to the Convention, which was the subject of negotiations a few years ago, included, among other things, proposals for environmental protection measures for the application of the Convention. The international community must not abandon that objective.

9. It is also important to highlight the relevance and importance of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, ratified by Cuba on 10 April 1978, which is still fully in force and should be universally accepted. At present, only 72 States are parties to this important instrument.[1]

10. The Republic of Cuba wishes to reiterate, yet again, its concern over the serious impact of military activities on the environment and the lives of human

[1] According to the status of multilateral treaties deposited with the Secretary-General of the United Nations as of 31 December 2005.

beings. In the geographic area closest to us, one still observes the serious harm caused by the United States Navy to the health and ecology of the Puerto Rican island of Vieques, used indiscriminately as a military practice range for its acts of aggression and conquest, where use was even made of materiel having radioactive components. The inhabitants of Vieques have the highest cancer rate in all Puerto Rico.[2]

11. During the war in Kosovo, the use of uranium in the North Atlantic Treaty Organization (NATO) bombardment of industrial infrastructures, refineries, chemical plants and fuel depots caused severe, long-term damage to the environment and the health of the inhabitants [3]

12. In the current war of conquest and occupation of Iraq by the United States, the harm caused to the environment, property and human life has been devastating.[4]

13. The Republic of Cuba, with the same force with which it demands the elimination of weapons of mass destruction as the only real solution for avoiding the dangers of the use of such weapons, denounces the immoral and unjustifiable character of present and future wars of aggression and conquest, which are part of the strategy of world domination of imperialism so harmful to the exercise of the right of peoples to life, peace and sustainable development.

Lebanon

[Original: Arabic]
[1 May 2007]

The Ministry of National Defence affirms that Lebanon possesses no weapons that have an impact on or are detrimental to the environment and supports the agreements on disarmament, arms control and the observance of environmental norms, taking into consideration the concern caused by Israel on account of its possession and retention of an enormous arsenal of weapons of mass destruction, which could be detrimental to the environment even if not used.

---

[2] Data of the Cancer Registry of the Department of Health of Puerto Rico show that cancer rates on Vieques began to rise with the start of bombing by the United States Navy in 1979 (Zavala-Segarra, D. *Incidencia de Cáncer en Vieques*).

[3] During the NATO bombing against Yugoslavia in 1999, some 31,000 missiles containing depleted uranium were used against 112 targets, most of them in Kosovo and southern Serbia. According to Slobodan Cikaric, a physician at the Belgrade Institute of Oncology, "it is still very early to establish the consequences of the contamination caused in 1999 by the bombardments against Serbia". "One must take into account that the leukaemia caused by radiation takes two to five years to develop, and that the development of other types of cancer caused by radiation may take up to 10 years."

[4] The British medical journal *The Lancet* concluded that, "making conservative assumptions we think that about 100,000 excess deaths, or more [of civilians] have happened since the 2003 invasion of Iraq. Violence accounted for most of the excess deaths and air strikes from coalition forces accounted for most of the violent deaths". The article adds that 84 per cent of the deaths were attributed to coalition forces — and most involved women and children.

Mexico

[Original: Spanish]
[13 April 2007]

1. Mexico is convinced and insists that the drafting and implementation of agreements on disarmament and arms control must be done in a manner compatible with international cooperation to prevent, control and eliminate possible harmful effects on the environment. Moreover, it is conscious of the grave destructive effects of nuclear, biological, chemical, radiological and other such weapons, as well as conventional weapons, and of the serious danger involved in their possible diversion for military purposes by unauthorized actors.

2. More than 10 years after the handing down of the advisory opinion of the International Court of Justice on the "legality of the threat or use of nuclear weapons", Mexico reiterates that, as pointed out by the Court, the principal judicial organ of the United Nations, it is undeniable that nuclear weapons, owing to their inherent characteristics, represent a constant threat to the environment and could have a catastrophic impact on it. For this reason Mexico maintains its commitment to the elimination of such weapons and alerts countries concerning their possible use.

3. Mexico emphasizes that the more than 30,000 existing nuclear warheads place the world in a dangerous situation in which, should any of them be used, we will all lose, no one will win, and the impact on the environment will be disastrous and irreparable. It further stresses that the industry that produces such weapons is highly contaminating, in addition to the fact that the disposal of nuclear waste is a problem of ever-growing proportions as extensive areas are contaminated and will remain unusable for very long periods.

4. The nuclear industry for peaceful purposes, too, involves sizeable risks. It is for that reason that Mexico supports international efforts and measures for the establishment of adequate and effective international standards of security and physical protection that offer the international community the security that there will not be any unplanned harmful events to lament.

5. Mexico reiterates that progress towards the goal of eliminating nuclear weapons and nuclear non-proliferation contribute directly to saving the environment from this global threat. Mexico also considers that arms regulation in areas such as conventional weapons, anti-personnel land mines and other weapons of mass destruction also helps prevent land used for economic activities, in which civilians live, highways and other transit routes and other areas, including conflict areas, from being rendered unusable due to the presence of remnants of war, such mines or any other explosive devices that fail to distinguish between civilians and military personnel, with cruel and indiscriminate consequences and destruction of the ecosystem.

6. In this context, Mexico stresses that Stockholm principle 21 establishes the obligation to make sure that activities carried out within the jurisdiction or under the control of States do not harm the environment of other States or of zones situated outside any national jurisdiction, as does principle 2 of the Rio Declaration. Thus, agreements on disarmament and arms control must include the environment factor

among their provisions so as to preserve the environment and satisfy existing environmental norms.

Spain

[Original: Spanish]
[11 May 2007]

1. An account is given of the processes followed under the two treaties ratified by Spain that have major repercussions on the destruction of arms or munitions and also with respect to small arms and light weapons.

Destruction of anti-personnel mines

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

2. The 1977 Convention on the Prohibition of Anti-Personnel Mines requires the destruction of national stockpiles within a period not exceeding 4 1/2 years from the deposit of the instrument of ratification.

3. By Act 33/1998, of 5 October of that year, on the total prohibition of anti-personnel mines and weapons with similar effects (Official State Bulletin No. 239 of 6 October 1998), Spain undertook to destroy its arsenal of anti-personnel mines before 7 October 2001. The destruction process, however, ended 10 months earlier, on 3 October 2000, i.e., more than two years in advance of the time limit established by article 4 of the Convention.

4. The destruction of the anti-personnel mines was performed by the Spanish company Fabricaciones Extremeñas, which guaranteed maximum security and zero environmental impact, in accordance with the ISO 14000 standard and Council Directive 94/67/EC on the incineration of hazardous waste.

5. A total of 849,365 mines were destroyed in a record period of 28 months, which amounts to a rate of 1,200 per day. The total cost of the operation was 3,228,000 euros, so that the unit cost of destruction was limited to 3.8 euros.

6. The process began with the mines being taken apart, the explosive charge being separated from the casing and the rest of the components. Next, the explosive was incinerated in a 450-degree furnace. The resulting gases were then passed through a treatment line in which heavy metals were separated out in order subsequently to be collected by waste management enterprises. The end gases were subjected to catalytic oxidation whereby carbon monoxide was transformed into carbon dioxide, thus ultimately causing no harm to the environment. As evidence of the elimination of these mines, the membrane with the identification number and date of destruction were retained.

Destruction of conventional weapons

Treaty on Conventional Armed Forces in Europe

7. The Treaty on Conventional Armed Forces in Europe, which entered into force in 1992, called for a reduction of existing equipment, which in the case of Spain

meant the requirement to inactivate 371 battle tanks and 87 artillery guns, a process which was completed on 16 November 1995.

8. Subsequent to that date inactivation processes have continued with a view to preventing the limits laid down in the five weapon categories from being exceeded and to making up for the increase in their number, as a result of modern material being put into service, by destroying the older materiel. Moreover, Spain has undertaken a process of reducing stockpiles that goes beyond the obligations imposed by the Treaty.

9. The destruction process is regulated in the Protocol on Procedures Governing the Reduction of Conventional Armaments and Equipment Limited by the Treaty on Conventional Armed Forces in Europe, which establishes the operations to which a weapon must be subjected in order to be considered unserviceable. However, it does not impose any environmental regulation; on the contrary, it provides that "each State Party shall have the right to use any technological means it deems appropriate".

10. In the case of Spain, reduction has been contracted out to private enterprises which, from an environmental standpoint, are subject to the general laws of the State and the specific laws of the autonomous communities in which the reduction takes place.

11. The process is as follows:

(a) As a preliminary step, usable components not subject to compulsory reduction under the Treaty are removed from the weapon along with any remaining munitions. This step is carried out by the military units themselves;

(b) Next, responsibility is turned over to the reduction enterprise, which is required to effect prior removal of possible remaining contaminants, i.e., combustible liquids or gases, lubricants or coolants, electric batteries and lighting fixtures, and cleaning of soot from closed cycles (with decanting of waste water). All such contaminants are channelled into the national system for the collection of hazardous substances, whose regulations meet the general criteria established within the European Union context;

(c) Finally, the metallic parts are rendered unusable by one of the following processes: cutting into sections, deforming or crushing. Spain has rejected the explosive demolition method, precisely because of its cost to the environment. The metal remains are used as scrap by the said private enterprises, which keep them as part of the payment for their services. They are sent to blast furnaces to be melted down.

Destruction of small arms and light weapons

OSCE (Organization for Security and Cooperation in Europe) Document on Small Arms and Light Weapons

12. Section IV (C) 2 of the OSCE Document on Small Arms and Light Weapons provides as follows: "Destruction will generally be used to dispose of illicitly trafficked weapons seized by national authorities, once the legal due process is complete."

13. The above criterion has been extended to apply to arms seized by Spanish troops participating in peace operations. Inasmuch as the number of weapons apprehended is small, and even more so as the crisis situation eases, and their storage involves vulnerable sides and it is not always feasible to ensure proper security, rapid destruction is carried out as indicated in our Arms Regulations. In the case of pistols or rifles, holes are drilled in the barrel and the essential components of the receiver. Where grenade launchers and flamethrowers are involved, crushing is used if access to a plant equipped with a hydraulic press is possible; otherwise, they are cut up with a blowtorch. The destroyed elements are listed under the supervision of the chief of the unit and the related report is submitted to the management of the international organization heading the mission. In addition, on occasion, seized arms destruction ceremonies have been held in the presence of witnesses and local media.

14. Moreover, section IV (C) of the OSCE Document on Small Arms and Light Weapons provides: "Any small arms identified as surplus to a national requirement should, by preference, be destroyed." In this case the number of weapons to be destroyed is great and the weapons are suitably stored. Armament-reduction programmes are established which, once funded, are taken over by manufacturing installations managed by the logistic services of the Ministry of Defence or contracted out to private enterprises listed by the Ministry. The technique ordinarily used is crushing and/or cutting with mechanical or hydraulic shears, these being considered the least contaminating methods. Alternatively, in extreme cases, cutting is done with an oxyacetylene torch or mechanical saw. In all cases it is ensured that the weapon and all essential and auxiliary components are unserviceable. The armament is stricken from the inventory by means of a certificate of destruction drawn up by the board of officers designated for that purpose. Once the weapon has been destroyed, the metallic parts are separated from the rest: wood, plastics, Bakelite, glass, etc. When the various components have been separated, the metal scrap is sent to foundries, while the other residues are taken over by the national waste-treatment system.

Syrian Arab Republic

[Original: Arabic]
[23 May 2007]

1. The munitions on hand in the Ordnance Directorate have no impact on the environment. They consist of regular, traditional ammunition for light arms, artillery and tanks.

2. Expired (out-of-date) or old munitions are destroyed either by dismantling or detonation.

3. Dismantling is done in secure, fortified buildings prepared for that purpose, account being taken of all recommended environmental measures.

4. Detonation, which is used for munitions that cannot be destroyed by dismantling, is carried out in open pits in uninhabited, non-agricultural areas of open desert far from grazing lands and nature preserves and does not affect natural and underground water sources. Such areas, which are protected and closed to persons not employed in them, are selected in coordination with ministries and

competent public iinstitutions, such as the Ministry of Irrigation, the Ministry of Agriculture and the Ministry of Local Administration and Environment.

5. In this method of destruction, care is taken to ensure that the explosion results in the smallest possible quantity of residue. All the residue resulting from the operation of detonation is collected and buried in deep pits.

Turkey

[Original: English]
[22 June 2007]

1. The constitution of the Republic of Turkey states that "everyone has the right to live in a healthy and balanced environment" (Article 56). In this regard, it is a duty of the State and citizens to improve the natural environment, protect the environmental health and prevent environmental pollution.

2. Environmentall concerns in all areas of Turkey are addressed by the Environment Act (Act No. 872). The Ministry of Environment and Forestry is responsible for the iimplementation of that act. Moreover, there are several by-laws pertaining to waste (medical, hazard Rous, solid, etc.) management, air pollution and water quality.

3. Turkish Armed Forces carry out all activities in accordance with the above-mentioned legislation. There are also a number of separate directives and regulations, complementing the implementation of environmental norms in the Turkish Armed Forces, which are summarized as follows:

(a) Environmental directive;

(b) Air and water pollution and noise control regulation;

(c) Solid waste control regulation;

(d) Medical waste control regulation;

(e) Regulation on the control of hazardous wastes, waste oils and batteries/accumulators.

4. The Turkish Armed Forces environmental directive sets out clear and detailed terms for the protection of the environment and the optimum use and preservation of natural resources in rural and urban areas. The Turkish Armed Forces solid waste control regulation and the regulation related to hazardous wastes determines the principles, procedures and guidelines for the collection, storage and disposal/recycling of wastes (including explosives), with no or minimum adverse impact on environment and public health.

5. Moreover, it should also be noted that in accordance with the Ottawa Convention and the 2nd and 4th Protocols of the Convention on Conventional Weapons, which Turkey is party to, destruction of anti-personnel mines and related ammunition are being carried out through the methods of disarming on the spot or open destruction with due respect to environmental norms. Furthermore, a new ammunition separation, sorting and destruction facility to be inaugurated in July 2007 in Turkey was designed to operate environmental friendly and implementation of other agreements on disarmament and arms control by Turkey is being carried out in accordance with General Assembly resolution 61/63.